IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS DALLAS DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

WILLIAM GLEN BAKER, MICHAEL BOWEN, CANNON OPERATING COMPANY LLC, NORTH TEXAS MINERALS LLC, and CHOL KIM a/k/a BRANDON KIM,

Defendants.

Civil Action No. 3:22-cv-01415-S

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS CANNON OPERATING COMPANY LLC AND NORTH TEXAS MINERALS LLC

Pursuant to Federal Rule of Civil Procedure 41(a)(1), Plaintiff Securities and Exchange Commission ("Commission") hereby gives notice that it voluntarily dismisses all claims against Defendants Cannon Operating Company LLC ("Cannon") and North Texas Minerals LLC ("NTX") in this action.¹

Federal Rule of Civil Procedure Rule 41(a)(1) provides that, subject to Rules 23(e), 23.1(c), 23.2, and 66, the plaintiff may dismiss an action without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary

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¹ As represented in the Commission's Motion for Extension of Time to Move for Entry of Default and Default Judgment [Doc. 22], counsel is submitting Defendant William Glen Baker's settlement offer to the Commission for consideration, and obtaining the internal approvals to file a motion for default judgment against Defendant Chol Kim a/k/a Brandon Kim. Counsel fully expects to be able to file the necessary motions by the Court's April 10, 2023 deadline [Doc. 23].

judgment." FED. R. CIV. P. 41(a)(1)(A)(i); see also Plains Growers, Inc. ex rel. Florists' Mut. Ins. Co. v. Ickes-Braun Glasshouses, Inc., 474 F.2d 250, 253-254 (5th Cir. 1973) (holding Rule 41(a)(1) permits plaintiff to voluntarily dismiss against individual defendants). Cannon and NTX have not appeared in this case, nor have they filed (or served) an answer or a motion for summary judgment. Because this case does not involve a class action, a derivative action, or a receiver appointment or suit, Federal Rules of Civil Procedure 23(e), 23.1(c), 23.2, and 66 do not apply.

Dated: February 7, 2023. Respectfully submitted,

/s/ Janie L. Frank
JANIE L. FRANK
Texas Bar No. 07363050

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CERTIFICATE OF SERVICE

I, Janie Frank, hereby certify that, on February 7, 2022, I caused a copy of the foregoing to be filed with the Court's CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants. I further certify that, on the same date, I caused a copy of the foregoing to be served to Defendants Baker and Kim via email.

/s/ Janie L. Frank JANIE L. FRANK